

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

XTREME CAGED COMBAT

CASE # 12 - 3855

RYAN KERWIN AND JAMES SCOTT

plaintiffs,

VS.

ECC FITNESS (AKA EXTREME

CAGE COMBAT), STEVE

ROSENBLUM AND OFA

DONALDSON

defendants,

SUPPLEMENTAL COMPLAINT

The underlying facts and claims set forth in this supplemental complaint are hereby incorporated into the original complaint in this matter and made a part thereof:

I. Jurisdiction and Venue;

1. This court has supplemental jurisdiction over the pendant state law claims raised in this complaint pursuant to 28 U.S.C. section 1367.

II. Plaintiffs;

2. Plaintiff James Scott is the individual who served original service of process of the above captioned complaint. He is a citizen of the Commonwealth of Pennsylvania

with his business address located at 11000 Roosevelt Blvd., Philadelphia, PA 19116.

IV. Facts;

3. On July 12, 2012 Plaintiff James Scott travelled to ECC Fitness (aka, Extreme Cage Combat) at 8801 Torresdale Ave., Philadelphia, PA 19053.
4. Mr. Scott then served both of the defendants (Ofa Donaldson and Steve Rosenblum) with a copy of the original complaint and summons in this matter.
5. Subsequent to Mr. Scott serving both defendants, defendant Ofa Donaldson approached Mr. Scott's car, punched the front passenger side window and kicked a huge dent in the rear passenger side door. **(Supplemental Exhibit A)**
6. After the incident Mr. Scott drove to Auto Specialties in Philadelphia, PA to get an estimate on the damage to his car, which they quoted at \$1,400.00, and filed a police report documenting the incident and the damage shortly thereafter. **(Supplemental Exhibit B)**
7. The car has since been fixed by Phoenix Collision Center located at 3990 Nebraska Street, Levittown, PA 19056.
8. The cost to repair the damage that defendant Donaldson caused to Mr. Scott's car came to \$631.04 **(Supplemental Exhibit C)**
9. Mr. Scott paid the cost to have the vehicle repaired out of his own pocket and plaintiff Ryan Kerwin reimbursed him for his out of pocket expense since it was caused as a result of him serving the original complaint upon the defendants.

V. Cause of Action - Damage to Personal Property (Pennsylvania State Law Claim)

10. Defendant Ofa Donaldson, did, with deliberate intent, punch the window of and kick the door of Mr. Scott's vehicle causing \$631.04 in damage to the vehicle for which Mr. Scott paid to have repaired.

VI. Relief Requested;

11. Compensatory damages in the amount of \$631.04
12. Punitive Damages in the amount of \$500.00 (Five Hundred Dollars)
13. A trial by jury.
14. Any and all attorney fees, filing fees, costs or other expenses related to the filing and litigation of this lawsuit.
15. Any other relief plaintiff may be entitled to that is not requested herein.

Respectfully submitted,

7/30/12

Date

Ryan Kerwin

Ryan Kerwin

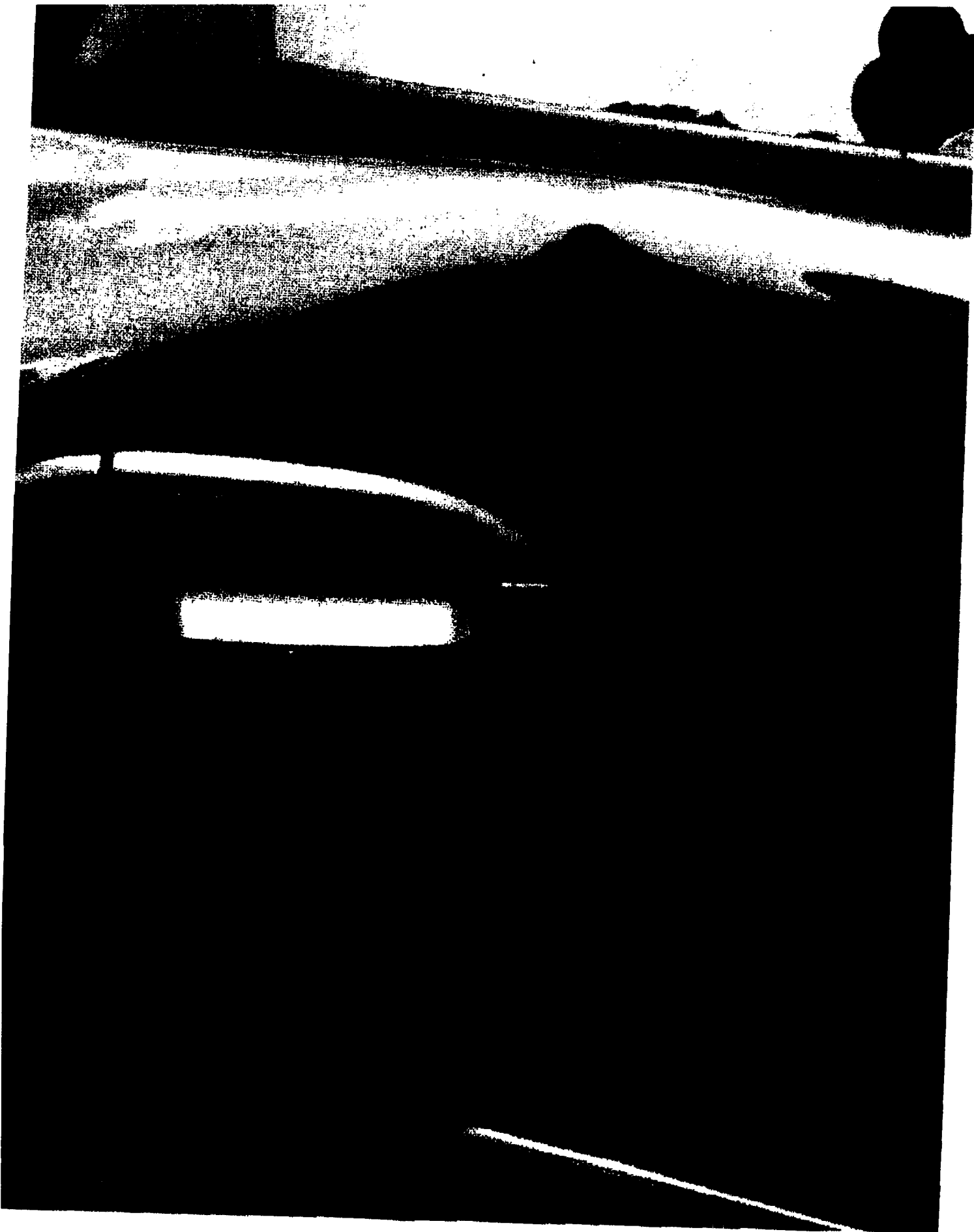
7/30/12

Date

James Scott

James Scott





34 S. 11th Street, 6th Floor
686-9863

The Private Criminal Complaint Unit handles misdemeanor level offenses such as:

Simple Assault	Terroristic Threats
Harassment by Communication	Theft (Under \$2000) -
Bad Checks	Stalking
Unlawful Restraint	False Imprisonment
Criminal Mischief	Defiant Trespass
Unauthorized Use of an Auto	Contempt of Court Order

The complainant must have the accused's full name and address.
The complainant must have witnessed the crime, or bring a witness to the office with them.

The Private Criminal Complaint Unit does not issue Protection or Restraining Orders!

Protection/Restraining Orders are ONLY given in cases of domestic violence. To get an order, a victim of domestic violence should go to:

34 S. 11th Street, Family Court Building, room 242
or

1301 Filbert Street (QJC) after 5pm, if the incident occurred within the past 24 hours.

The complaint unit also does not deal with:

Landlord/Tenant Disputes - 34 S. 11th Street room 500 (686-7987)

Juvenile Defendants - 1801 Vine Street (686-8370)

Child Abuse - DES (686-6100)

Contractual Disputes - 34 S. 11th Street, 5th Floor room 500 (686-7987)

Arguments / Verbal Disputes between neighbors - Human Relations Commission 34 S. 11th Street, 6th Floor (686-6670)

DC# 12-08-029447

WNH. Phila. GOV \$125.00

LEVITTOWN, PA 19056
phone: 215-458-7728 / fax: 215-458-7730

CUSTOMER INVOICE # 104890 07/13/12

CATHERINE LYNCH
68 UPPER ORCHARD DRIVE

LEVITTOWN, PA 19056

plate: HLL3112 PA
1998 Ford
vin# 1FAFP52U1WA122863
Home: 215-547-0888 Work:

3.0L INJECTED 6
Taurus LX

mileage

Cell: 215-630-2303 Fax:

Operation	Description	Qty	Ext. Price	Labor	Paint
	REAR DOOR				
	SHEET METAL				
Repair	R Panel, Door Repair			4.5 body	
Refinish	R Refinish Door Outside				2.2
Refinish	R +Clear Coat / 2 Stage Major Panel				0.9
	EXTERIOR TRIM				
	R R&I Belt Moulding			0.2 body	
	INTERIOR TRIM				
	R R&I Trim Panel			0.5 body	
	HARDWARE				
R & I	R Handle, Outside Door			0.2 body	
Refinish	BLEND				0.5
	TOTALS/FINISHING				
Replace	CAR COVER		12.12		

COLLISION SUMMARY

COLLISION LABOR	RATE	Hrs	ESTIMATE
PAINT	48.00	3.60	172.80
BODY LABOR	48.00	5.40	259.20
LABOR TOTAL		9.00	432.00
PAINT SUPPLIES	27.00	3.60	97.20
SHOP SUPPLIES	10.00	5.40	54.00
GLASS		0.00	0.00
PARTS		12.12	12.12
PARTS & GLASS			12.12

The data elements used in this report were obtained from Mitchell International's RepairMate Product.
Non OEM part information has been provided by their respective suppliers.
Calculations of the report are performed by a computer program created by Crash-writer (C) 1997-2010.
(-) Portions of this report were enhanced to reflect the Operator's Judgement for current prices & times.

PARTS	12.12
LABOR	432.00
Supplies	151.20
TAX (6.000%)	35.72
TOTAL	631.04